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GENERAL SERVICES ADMINISTRATION

[Notice-PBS-2013-04; Docket 2013-0002; Sequence 42]

**Notice Pursuant to Executive Order 12600 of Posting Certain
GSA Real Property Lease Documents with Private Sector
Landlords on GSA's Public Online Portal**

AGENCY: Public Buildings Service, Office of Leasing,
General Services Administration (GSA).

ACTION: Notice.

SUMMARY: This notice provides submitters notice pursuant to Executive Order 12600 that the GSA, Public Buildings Service, Office of Leasing is complying with the Office of Management and Budget's (OMB) Open Government Directive issued December 8, 2009, as M-10-06, to implement the principles of transparency and openness in government by posting certain GSA real property lease documents with private sector landlords on GSA's public online portal.

DATES: Comments must be received on or before **[INSERT DATE
30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

ADDRESSES: Submit comments identified by "Notice-PBS-2013-04", by any of the following methods:

- Regulations.gov: <http://www.regulations.gov>.

Submit comments via the Federal eRulemaking portal by searching for "Notice-PBS-2013-04". Follow the instructions provided at the "Comment Now" screen.

Please include your name, company name (if any), and "Notice-PBS-2013-04" on your attached document.

- Mail: General Services Administration, Regulatory Secretariat Division (MVCB), 1800 F Street, NW, 2nd Floor, Washington, DC 20405. Notice-PBS-2013-04.

Instructions: Please submit comments only and cite "Notice-PBS-2013-04", in all correspondence related to this notice. All comments received will be posted without change to <http://www.regulations.gov>, including any personal and/or business confidential information provided.

FOR FURTHER INFORMATION CONTACT: Mr. John D. Thomas at 202-501-2454.

SUPPLEMENTARY INFORMATION:

[OMB's Open Government Directive issued December 8, 2009, as M-10-06, instructs federal agencies, including GSA, to take specific actions to implement the principles of transparency, participation, and collaboration. More specifically, the directive asks agencies to expand access to information by making it available online in open formats. To comply with this initiative, certain GSA real property lease documents with private sector landlords will be posted on GSA's public online portal, with specific data elements being redacted to protect privacy, personal, and proprietary information as outlined under the Freedom of

Information Act (FOIA) and the Privacy Act. As such, this notice describes typical data elements contained in these lease documents and their exemption status under the FOIA statute.]

GSA, the nation's largest public real estate organization, provides workspace for more than 1.2 million federal workers through its Public Buildings Service. Approximately half of the employees are housed in buildings owned by the federal government and half are located in over 7,200 separate leased properties (in over 8,700 leases), including buildings, land, antenna sites, etc., across the country. In order to comply with OMB's Open Government Directive issued December 8, 2009, as M-10-06, of transparency and openness in government, by posting certain GSA real property lease documents with private sector landlords on GSA's public online portal, GSA has identified several data elements that are exempt from disclosure pursuant to FOIA under, 5 U.S.C. 552(b).

The following table contains a description of these data fields and their exempt status under FOIA:

FOIA Review of Data Elements in GSA Lease Documents		
Data field	Exempt status	Public comments

1) Lease Number	Not exempt under the FOIA	
2) Lease Award Date	Not exempt under the FOIA	
3) Leased Building Address (Including City State And Zip Code)	Not exempt under the FOIA	
4) Lease Effective Date	Not exempt under the FOIA	
5) Lease Expiration Date	Not exempt under the FOIA	
6) Length of Renewal Option Term(s)	Not exempt under the FOIA	
7) Renewal Option Rental Rate	Exempt - 5 U.S.C. 522 (b) (4)	
8) Information on Lease termination rights	Not exempt under the FOIA	
9) Itemized Operating Cost Rate (Including	Exempt - 5 U.S.C. 522 (b) (4)	

Components Of Operating Costs, Such As Fuel Costs, Utilities, Janitorial Costs, etc.)		
10) Lease Agreement Rentable Square Feet (RSF)	Not exempt under the FOIA	
11) Lease Agreement ANSI/BOMA Office Area Square Feet (ABOA SF)	Not exempt under the FOIA	
12) Lease Structured Parking Spaces	Not exempt under the FOIA	
13) Lease Surface Parking Spaces	Not exempt under the FOIA	
14) Percentage Of Occupancy	Not exempt under the FOIA	
15) Annual Rent (Including Rent Structure For Term	Not exempt under the FOIA	

Of Lease)		
16) Lessor Name	Not exempt under the FOIA	
17) Lessor Address if Lessor is an individual (including City, State, and Postal Code)	Exempt—5 U.S.C. 552(b) (6)	
18) Lessor Phone if Lessor is an individual	Exempt—5 U.S.C. 552(b) (6)	
19) Lessor Fax if Lessor is an individual	Exempt—5 U.S.C. 552(b) (6)	
20) Lessor Email if Lessor is an individual	Exempt—5 U.S.C. 552(b) (6)	
21) Name of Person Signing Lease	Not exempt under the FOIA	
22) Name of Person Witnessing Lease	Not exempt under the FOIA	

Signature		
23) Payee Name	Exempt—5 U.S.C. 552 (b) (4)	
24) Payee Address (including City, State, and Postal Code)	Exempt—5 U.S.C. 552 (b) (4)	
25) Payee Phone	Exempt—5 U.S.C. 552 (b) (4)	
26) Payee Fax	Exempt—5 U.S.C. 552 (b) (4)	
27) Payee Email	Exempt—5 U.S.C. 552 (b) (4)	

28) Itemized Unit Price Schedule (Including Construction Costs For Tenant Buildout Items Such As Drywall Partitioning, Electrical Outlets, Doors, Carpeting, Locks, Cabinets, etc.)	Exempt - 5 U.S.C. 522 (b) (4)	
29) HVAC Overtime Rate	Not exempt under the FOIA	
30) Corporate Resolution	Exempt—5 U.S.C. 552 (b) (4)	
31) Partnership Agreement	Exempt—5 U.S.C. 552 (b) (4)	
32) Adjustment For Vacant Premises Rate	Not exempt under the FOIA	
33) Legal Description Of	Not exempt under the FOIA	

Building		
34) Normal Business Hours Of Building	Not exempt under the FOIA	
35) Agency Name or Agency initials	Exempt—5 U.S.C. 552(b) (7)	
36) Floor Plan and drawings	Exempt—5 U.S.C. 552(b) (5) and (7)	
37) Identification Of Building Floors Occupied	Not exempt under the FOIA	
38) Lessor Tax Payer Identification Number if Lessor is business entity or individual	Exempt—5 U.S.C. 552(b) (4) or (6)	
39) Social Security Number	Exempt—5 U.S.C. 552(b) (6)	
40) DUNS Number (9 digit DUNS Number)	Not exempt under the FOIA	
41) DUNS+4 (13	Exempt—5 U.S.C.	

digit DUNS Number)	552 (b) (4)	
42) Financial Institution	Exempt-5 U.S.C. 552 (b) (4)	
43) Account Number	Exempt-5 U.S.C. 552 (b) (4)	
44) ABA Routing ID	Exempt-5 U.S.C. 552 (b) (4)	
45) Automated Clearing House (ACH) Network U.S. Phone	Exempt-5 U.S.C. 552 (b) (4)	
46) ACH Non-U.S. Phone	Exempt-5 U.S.C. 552 (b) (4)	
47) ACH Fax	Exempt-5 U.S.C. 552 (b) (4)	
48) ACH E-Mail	Exempt-5 U.S.C. 552 (b) (4)	
49) Broker Commission Information (Including Rates	Exempt-5 U.S.C. 552 (b) (4)	

and Percentages)		
50) Address of Person Witnessing Lease Signature if Person is an individual	Exempt-5 U.S.C. 552 (b) (6)	
51) Security Information or Requirements Deemed Sensitive	Exempt-5 U.S.C. 552 (b) (7)	

Dated: January 8, 2014.

John D. Thomas,
Director, Center for Lease Policy,
Public Building Services.

[Billing Code 6820-23]

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